

















FILE No. 1025
H/3500

GUARDIAN TREE &
LANDSCAPE SERVICES
DARRYL JUDD
9 CHESTER CRES., P.N.
G.S.T. No. 33-209-681

DIVISION	ACTION
CI	
E	
RECEIVED	KS
22 FEB 1995	AS of
	PM.

3561622

Preston Mend
Cottick

Mr. Albert James
The Manawatu District Council
Feilding

Manawatu District Council

Dear Sir,

A report with regards to the mentioned
is as follows.

Tree - *Quercus robur*

Location - 19 Pharizon St

Feilding.

I have noted that the Oak in discussion is in fact two Oaks forming one large singular crown. These trees must co-exist together to provide shape and protection. The smaller of the two must not be removed as this will alter the wind flow pattern within the main tree. This could result in limbs shearing off in high wind conditions.

The smaller of the two oaks contains some large deadwood. If work was to be carried out upon this tree it would be recommended that the tree has all visible deadwood and stubs removed. This would be for tree hygiene and visual appearance. Also noted were extended limbs encroaching upon the neighbour's shrubbery, these should be reduced back to suitable growth points.

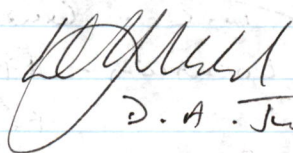
The larger of the two oaks has substantial decay on top of the lower limb. This limb should be removed. Also noted is the wide spread of the canopy, particularly towards the East, due to the prevailing wind in this exposed location. It should be considered that these limbs are reduced back away from the neighbouring house for safety and to reduce the likely hood of limbs ripping out. Once again is recommended the removal of deadwood and any obvious structural faults.

In general, the trees in mention are not particularly exceptional examples of the species.

with regards to a Tree Protection Order. I think that this could only really be justified by its Historical importance and high value placed upon it by its owner.

I trust that this report is of benefit to help draw your conclusion to the fate of these trees.

Regards



D.A. Todd.

GUARDIAN TREE &
LANDSCAPE SERVICES
DARRYL JUDD
9 CHESTER CRES., P.N.
G.S.T. No. 33-209-681

DATE 20/2/95
ORDER No.

No. 67901

Mr Albert James
Manawatu District Council
Feilding
RECEIVED
22 FEB 1995

TAX INVOICE
PURCHASE ORDER
STATEMENT

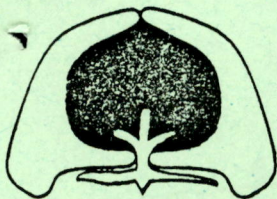
DESCRIPTION	Manawatu District Council	QTY.	RATE	AMOUNT
work to be carried out with regards to report.	option ①		\$ 350 rest	
	leave all material on site			
Extensions and Additions	option ②		450 rest	
Approved By	Removed of all waste			
A/C				
Work carry out.				

G.S.T. REG. No.

SPECIAL INSTRUCTIONS
[Signature]

SUB TOTAL
PLUS G.S.T.
TOTAL

REDIFORM®



Guardian Tree & Landscape Services

The Tree Doctor DARRYL JUDD, N.C.H. Arb, N.Z.T.C. Hort.

Guardian offers a Comprehensive,
Professional Tree and Landscape Service
Throughout the Manawatu

RECEIVED

22 FEB 1995

Manawatu District Council

- * 9 years Horticultural Experience
- * New Zealand Horticultural Tradesmen
- * Trained at Merrist Wood; the Worlds No 1 Tree Doctoring Institution (UK)
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SERVICES INCLUDE

Fruit Tree Pruning,
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Crown Reductions & Thinning, Power Line Clearance,
Formative Pruning, Removal of Dead Wood,
Dangerous Trees Made Safe,
Tree Planting ,And Transplanting,
Group Tree Awareness Talk Sessions,
Low Maintenance Soft Landscape Specialists,
Right Plant, Right Place,
From Plans To Finished Product,
Established Garden Renovations,
Lawn Laying,

No Job To Big- No Job To Small
So Dont Hesitate - Give Us A Call!

9 CHESTER CRESENT, PALMERSTON NORTH

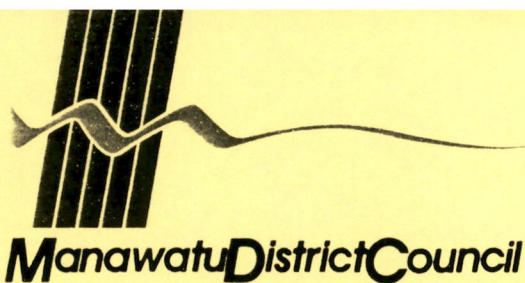
(Free Competitive Quotes & Advice A Pleasure

PHONE : (025) 450316

After Hour Calls Welcome : 358-6277

PALMERSTON NORTH.

Thanks
Alb!
pmc H



DX. 12728

Ref: 7/2077

29 May 1995

A and L Pretious
19 Pharazyn Street
FEILDING

Dear Sir/Madam,

**REQUIREMENT FOR A HERITAGE ORDER UNDER SECTION 189 A
OF THE RESOURCE MANAGEMENT ACT 1991**

I wish to advise that pursuant to Section 191 (2) of the Resource Management Act, the requirement for a Heritage Order to be placed on the two oak trees (*Quereus Robur*) at 19 Pharazyn Street, Feilding, has been confirmed.

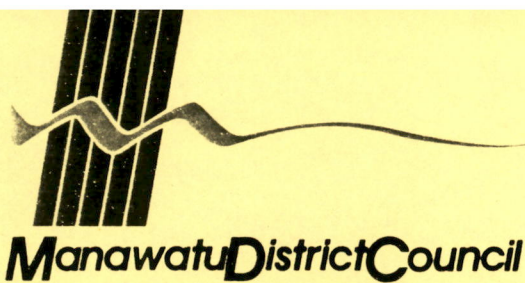
Some further pruning work and removal of dead wood is to be carried out once the trees have finished leaf fall.

The work will be carried out under the direction of Darryl Judd, Tree Doctor, at Council's expense.

You will be advised when work is to be carried out.

Yours faithfully,

Fay Harris
Committee Clerk



DX. 12728

Ref: 7/2077

29 May 1995

K D and R P Kearney
1 Florence Avenue
FEILDING

Dear Mr and Mrs Kearney,

**REQUIREMENT FOR A HERITAGE ORDER UNDER SECTION 189 A
OF THE RESOURCE MANAGEMENT ACT 1991**

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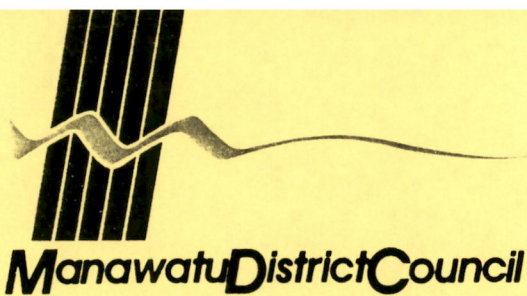
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Fay Harris
Committee Clerk



DX. 12728

Ref: 7/2077

26 April 1994

K D and R P Kearney
1 Florence Place
FEILDING

Dear Sir/Madam,

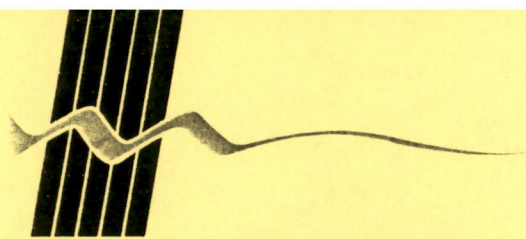
SUBMISSION ON REQUIREMENT FOR A HERITAGE ORDER

I enclose a report on the above application which is to be heard in the Council Chamber, Manawatu District Council Building, 135 Manchester Street, Feilding, on Monday, 1 May 1995 at 2.30 pm.

Should there be any further queries concerning this matter, please do not hesitate to contact this office.

Yours faithfully

Fay Harris
Committee Clerk



Manawatu District Council

DX. 12728

Ref: 7/2077

26 April 1994

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Yours faithfully

Fay Harris
Committee Clerk

MANAWATU DISTRICT COUNCIL

REPORT TO: Environmental Manager

DP. 1378

REPORT FROM: District Planner

SUBJECT: **Requirement for Heritage Order Under Section 189A of the
Resource Management Act 1991.
Oak Trees - 19 Pharazyn Street, Feilding**

DATE: 26 April 1995

INTRODUCTION

In February, following an approach from the owners of 19 Pharazyn Street, (Mr & Mrs Pretious) Council resolved to place a Heritage Order on two oak trees at the above address.

This action followed a proposal by the adjoining owner's (Mr & Mrs Kearney) to trim those parts of the oak trees overhanging the common boundary.

The requirement was publicly notified on 11 February 1995 and a submission has been received from Mr & Mrs Kearney.

While they generally support the Heritage Order, they are concerned that the partially finished trimming of the trees be completed.

HERITAGE ORDER PROCEDURE

Having notified the "interim" Order, Council must now determine whether the Order should be confirmed, modified or withdrawn.

In placing the Order, Council determined that the trees had heritage value in terms of their age, size, historical associations (the trees are said to have been planted by Mr W Sandilands a former Mayor in the mid 1890's), and contribution toward the townscape and amenity of the immediate area.

The submission received from Mr & Mrs Kearney offers qualified support for the Order and in my opinion the Order can be confirmed as the purpose of the Heritage Order has not been challenged.

OTHER CONSIDERATIONS

The concerns expressed by the Kearney's relate to the need for completion of the pruning work, halted by notification of the Order.

A report on the general condition of the tree has been obtained from Darryl Judd of Palmerston North, Tree Doctor.

His report confirms that further pruning is required including removal of dead wood.

Providing the work is done under expert supervision, the integrity of both the trees and the Heritage Order will be maintained.

It is proposed that Mr Judd be engaged to complete the work at an estimated cost of \$600.00.

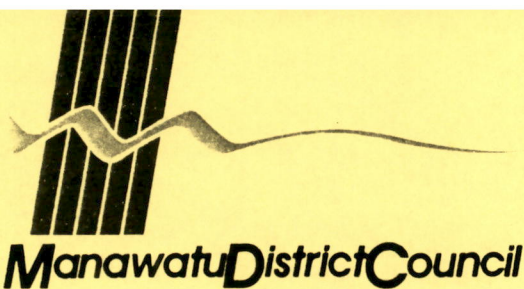
RECOMMENDATION

That pursuant to Section 191(2) of the Resource Management Act the requirement for a Heritage Order to be placed on two oak trees (*Quereus Robur*) at 19 Pharazyn Street, Feilding, be confirmed.



J D Waudby
SENIOR PLANNER

anw



A73/10x 600

DX. 12728

Ref: 7/2077

11 April 1994

A and L Pretious
19 Pharazyn Street
FEILDING

Dear Sir/Madam,

SUBMISSION ON REQUIREMENT FOR A HERITAGE ORDER

I wish to advise that Council will hear the above application in the Council Chamber, Manawatu District Council Building, 135 Manchester Street, Feilding, on Monday, 1 May 1995 at 2.30 pm.

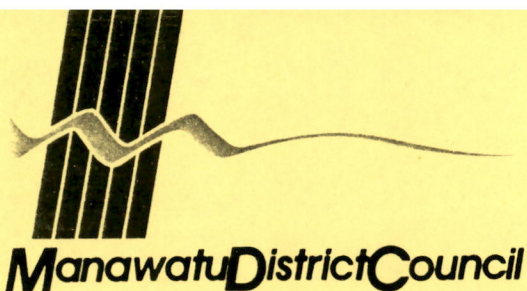
You have the right to speak at the hearing and may be represented by a solicitor or some other person you so wish. If it is intended to present written submissions at the hearing, could you please ensure that a minimum of 15 copies are made available at the hearing for the use of Councillors, staff and other parties.

A planning report on the application is being prepared and will be forwarded to you before the hearing.

Should there be any further queries concerning this matter, please do not hesitate to contact this office.

Yours faithfully

Fay Harris
Committee Clerk



DX. 12728

Ref: 7/2077

11 April 1994

K D and R P Kearney
1 Florence Place
FEILDING

Dear Sir/Madam,

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Should there be any further queries concerning this matter, please do not hesitate to contact this office.

Yours faithfully

Fay Harris
Committee Clerk

LETTER No. 1273		
FILE No. 7/2077		
RECEIVED	DIVISION	ACTION
C	✓	FILE
Manawatu District Council		

1/3/95

K.D.P. Kearney
1 Florence Place
Feilding.

(Home) 06 323 4068
or 025 461 424

Dear Sir,

Regarding the heritage order for two Oak Trees in respect of the property at 19 Marazyn street Feilding. I am happy to support the heritage order, providing I am allowed to finish the trimming of the trees for which I had permission to do from the Manawatu District Council. before this heritage order was in place, meaning there are two further limbs to come off.

It is very difficult to put on paper the many reasons why it is necessary to trim the trees. For example your letter dated the 10th Feb stated, "This heritage order is needed in order to protect the trees which are grown at 19 Pharynga st and partly over the property at No 1 Florence Place."

The trunks of these trees are against the boundary fence and a fair estimate would be at least 75% of the trees are over my section.

For example from the tip of a limb still on the tree to the base of the tree

is 45 feet over my section.
I would like, at your
convenience someone from
the Council, perhaps Mr
Albert James and yourself,
Mr P. McHardy, to meet
me at my place to
just have a look and
talk over the situation.
as I feel thing could be
explained better on site.
If it is not possible for you
to meet me at home then
I would like a meeting with
the committee or yourself
if that is possible.
I can be contacted on my
cellular phone anytime during
the day.

Sincerely
Kelly Kearney

MANAWATU DISTRICT COUNCIL

ENV.

DIVISION

FILE No.

7/2077

DATE

10/2/95

MEMO FROM

D.P

MEMO FOR

G.M

1140

SUBJECT:

HERITAGE ORDER - OAK TREES AT 19 PHARAZYN ST, PEIDING.

Council resolved last night to initiate this heritage order.
Could you please sign it & return it to me so that we can
forward a copy to the landowners concerned over the weekend.

PJMcBeardy

Recommened approved gl: 10/2/95

**NOTICE OF REQUIREMENT FOR A HERITAGE ORDER UNDER SECTION 189A
OF THE RESOURCE MANAGEMENT ACT 1991**

The Manawatu District Council hereby gives notice that it has issued a requirement for a heritage order in respect of the property at 19 Pharazyn Street, Feilding. This heritage order protects the oak trees which are growing on the property concerned. It has the effect of prohibiting the trees from being felled, trimmed or otherwise damaged without Council's consent.

If you wish to make a submission on the heritage order you may do so by lodging a written submission with Council no later than 4.00pm on Monday 13 March 1995.

The submission must be dated and signed by you and include the following information:

- (1) Your name and postal address, telephone No and Fax No (if applicable).
- (2) Details of the heritage order in respect of which the submission is being made, including location.
- (3) Whether you support or oppose the order.
- (4) The reasons for your submission.
- (5) The decision you wish Council to make.
- (6) Whether you wish to be heard in support of your submission.

(A standard submission form is available on request if preferred)

The heritage order and accompanying information may be viewed at Council's offices at 135 Manchester Street, Feilding during office hours.

Dated this 11th day of February 1995.

R J Titcombe
GENERAL MANAGER
for the MANAWATU DISTRICT COUNCIL

Address for Service of Applicant:

Manawatu District Council
Private Bag 10-001

FEILDING

Telephone: 323-0000 Fax: 323-0822

**NOTICE OF REQUIREMENT FOR A HERITAGE ORDER UNDER SECTION 189A
OF THE RESOURCE MANAGEMENT ACT 1991**

The Manawatu District Council hereby gives notice that it has issued a requirement for a heritage order in respect of the property at 19 Pharazyn Street, Feilding, being the land described in the Schedule below.

This heritage order is needed in order to protect the oak trees which are growing at 19 Pharazyn Street and partly over the property at No. 1 Florence Place. The trees have heritage value in terms of their age, size, historical associations, and contribution toward the townscape and amenity of this part of Feilding.

Restrictive conditions applying to the property and surrounding area are specified as follows:

No person shall, without the written consent of the Council,

- (a) Cut down, prune, injure or ring-bark the above oak trees, or interfere with their root systems.
- (b) Undertake any activity or work within the vicinity of the said trees which endangers or is likely to endanger the above oak trees.

N.B. - Applications for Council's consent to undertake works described in a) and b) above will be in terms of Section 193 of the Resource Management Act 1991.

It is expected that the heritage order will not have a significant adverse effect upon the residential use of the two properties concerned, since the order provides scope for the trees to be trimmed and maintained in a manner which is acceptable to Council.

The owner of the subject site has requested that Council issue the heritage order. The owners of No. 1 Florence Place are aware of the heritage order proposal.

Dated this 10th day of February 1995



R J Titcombe
GENERAL MANAGER
for the MANAWATU DISTRICT COUNCIL

Address for Service of Applicant:

Manawatu District Council

Private Bag 10-001

FEILDING

Telephone: 323-0000 Fax 323-0822

Contact Person: P McHardy (District Planner)

SCHEDULE

All that land comprising 809 square metres more or less described as Lot 1 on Deposited Plan 26061 and comprised in Certificate of Title F4/463 (Wellington Registry)

**NOTICE OF REQUIREMENT FOR A HERITAGE ORDER UNDER SECTION 189A
OF THE RESOURCE MANAGEMENT ACT 1991**

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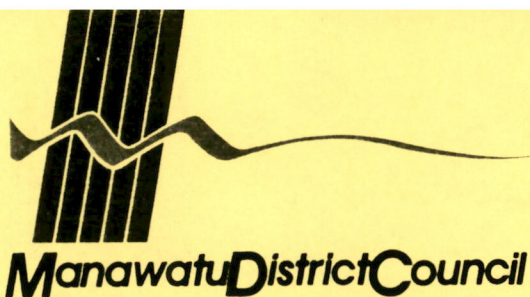
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Ref: 7/2077

10 February 1995

K D & R P Kearney
1 Florence Place
FEILDING

Dear Sir/Madam

**NOTIFICATION OF REQUIREMENT FOR A HERITAGE ORDER
UNDER SECTION 189A OF THE RESOURCE MANAGEMENT ACT 1991**

The Manawatu District Council has issued a heritage order in respect of the property at 19 Pharazyn Street. A copy of this order is attached. It may affect you by preventing the oak trees concerned from being trimmed or felled without Council consent.

If you wish to make a submission on the heritage order you may do so by lodging a written submission with Council no later than 4.00 pm on **Monday 13 March 1995**.

The submission must be dated and signed by you and include the following information:

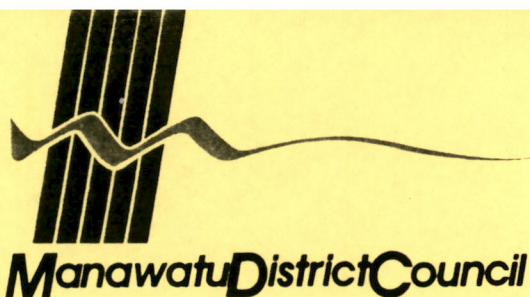
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- (5) The decision you wish Council to make.
- (6) Whether you wish to be heard in support of your submission.

(A standard submission form is available on request if preferred).

Yours faithfully

P J McHardy
DISTRICT PLANNER

encl
anw



Ref: 7/2077

10 February 1995

A & L Pretious
19 Pharazyn Street
FEILDING

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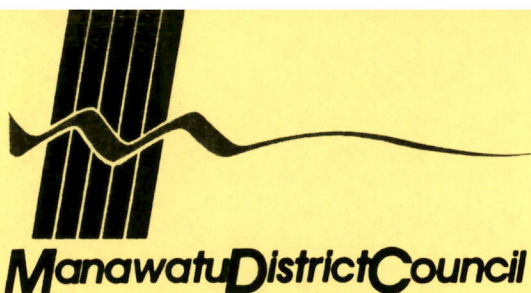
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P J McHardy
DISTRICT PLANNER

encl
anw



Ref: 7/2077

10 February 1995

The General Manager
Manawatu-Wanganui Regional Council
Private Bag
PALMERSTON NORTH

Dear Sir

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encl
anw



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The Tree Doctor DARRYL JUDD, N.C.H. Arb, N.Z.T.C. For

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Professional Tree and Landscape Service

Throughout the Manawatu

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Removal of Trees in Confined Spaces,
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Formative Pruning, Removal of Dead Wood,
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Tree Planting, And Transplanting,

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Right Plant, Right Place,
From Plans To Finished Product,
Established Garden Renovations,
Lawn Laying,

No Job To Big- No Job To Small
So Dont Hesitate - Give Us A Call!

9 CHESTER CRESENT, PALMERSTON NORTH

(Free Competitive Quotes & Advice A Pleasure

PHONE : (025) 450316

After Hour Calls Welcome : 358-6277

PALMERSTON NORTH.

1025

GUARDIAN TREE &
LANDSCAPE SERVICES
DARRYL JUDD
9 CHESTER CRES., P.N.
G.S.T. No. 33-209-681

DIVISION	ACTION
C	
E	
RECEIVED	
22 FEB 1983	
PM.	
Manawatu District Council	

Mr. Albert James
The Manawatu District Council
Feilding

Dear Sir,

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is as follows.

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Location - 19 Pharizon St

Feilding.

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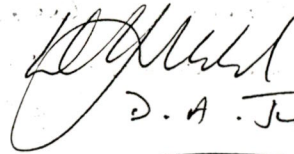
In general, the trees in mention are not particularly exceptional examples of the species.

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
WASHINGTON, D.C.
20250
NOV 1960

with regards to a Tree Protection Order. I think that this could only really be justified by its Historical importance and high value placed upon it by its owner.

I trust that this report is of benefit to help draw your conclusion to the fate of these trees.

Regards



D. A. Judd.

MANAWATU DISTRICT COUNCIL

REPORT OF THE MEETING OF THE ENVIRONMENTAL COMMITTEE OF THE
MANAWATU DISTRICT COUNCIL HELD IN THE COMMITTEE ROOM,
DISTRICT COUNCIL BUILDING, 135 MANCHESTER STREET, FEILDING, ON
TUESDAY, 7 FEBRUARY 1995, AT 10.00 AM.

PRESENT:

Cr C A Osten (Chairperson), Her Worship the Mayor (Mrs C L M Clausen),
Crs M G Coffey, M J Craw, J C Culling, K G Ellery, A L Mason, and A Severinsen.

IN ATTENDANCE:

Cr D T Beard
Cr R B Rowe
Mr R J McAllister Environmental Manager
Mr P J McHardy District Planner
Mr J D Waudby Senior Planner
Mr S P Emerson Planning Officer
Mrs B F Harris Committee Clerk

1. PROTECTION OF OAK TREES:

Mrs A Pretious 31/01/95 - concerning protection of Oak trees on her property
in Pharazyn Street.

Mrs Pretious was present at the meeting and answered questions from
Councillors.

The report of the District Planner (DP. 1335) was received and considered.

Recommendations:

- (1) THAT Council proceed to place a heritage order pursuant to Section
189 A of the Resource Management Act 1991 on the property at 19
Pharazyn Street, Feilding, being Lot 1, D.P. 26061, for the purposes of
protecting the oak trees on that property.
- (2) THAT the Reserves and Recreation Manager, Mr A James, consults with
the parties involved, and informs them of the action Council intends to
take regarding the heritage order.

MANAWATU DISTRICT COUNCIL

DP. 1335

REPORT TO: Environmental Manager

REPORT FROM: District Planner

SUBJECT: Correspondence from Mrs A Pretious concerning protection of
Oak Trees at 19 Pharazyn Street, Feilding

DATE: 1 February 1995

INTRODUCTION

Mrs Pretious has requested that Council place some form of legal protection over two oak trees on her property at 19 Pharazyn Street. Prompt action is requested as neighbours apparently have plans to remove branches which extend over their side of the boundary.

DISCUSSION

The questions which need to be answered are:

- a) What values do the trees have, and what condition are they in?
- b) Are these values significant enough that Council should be involved in protecting them?
- c) If Council agrees that protection is warranted, what method should be used?

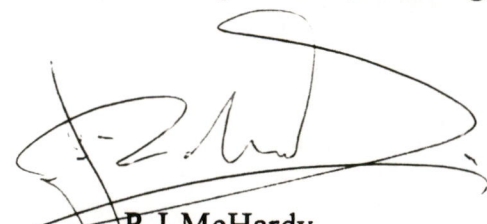
Council's Reserves and Recreation Manager will be preparing a report on the trees' condition and their value from an arboreal viewpoint. They are over 100 years old and apparently were by planted by Mr W Sandilands who was Mayor in the mid 1890's. They are certainly substantial specimens which make a positive contribution toward the townscape in this part of Feilding.

The two main ways of providing legal protection are by listing the trees in the District Plan, or by placing a heritage order on the property. Adding Pharazyn Road oaks to the list of trees in Appendix VII of the Plan would require a Plan Change to be initiated, with the usual public notice/submissions/cross-submissions procedure. Once the Plan Change was notified, nobody would be allowed to damage the trees without applying for landuse consent. It can be difficult to decline such applications though, when the Plan Change is still in the early stages of the objection process.

Perhaps a simpler alternative would be a heritage order. This involves Council publicly advertising that specific features in a property are proposed to be protected. A heritage order follows exactly the same process as a notified land use application. From the moment that the order is first notified, it has the effect of protecting the feature concerned.

RECOMMENDATION

That depending on Mr James' report, Council consider protecting the oak trees at 19 Pharazyn Street, Feilding, by way of heritage order.



P J McHardy
DISTRICT PLANNER
ego

Dick,
For your attention & reply.

DP,

31 January 1995

Mrs A Pretious
19 Pharazyn Street
FEILDING

Dear Mrs Pretious

OAK TREES

I acknowledge receipt of your letter of 30 January 1995 asking for the registration and preservation of two oak trees on your property.

This matter has been referred to the General Manager, Mr Titcombe, for his appropriate attention.

→ You will receive a reply from the appropriate officer in due course.

Yours faithfully



Caryll Clausen JP
MAYOR

LOCATION PLAN - 19 PHARAZYN ST



AMENDMENTS

CHANGE No.1 app
DESIGNATION No. 2
CHANGE No. 3 app
CHANGE No 7 appro
CHANGE No 9 approv

19 Pharyng St
Tilding
30th Jan 1995

The Mayor
Barnet District Council
Tilding.
Dear Madam,

Further to our
conversation last night and
other conversations with
Mr D Beard and various
members of Council staff
I wish to make formal
application for the registrati-
on and preservation of
two oak trees on our property.

We have lived at the
above address for 24 years
and were told by Mr Terry
Bailey of 320 Kimbolton Rd
at the time we moved to
Tilding that the trees were
in excess of 80 years old
and were planted by Mr W.
Sandilands.

In my view the trees are of value to the neighbourhood, accepting that the leaves and acorns shed by the trees can be a nuisance, but the beauty of old trees such as these far outweigh the problems.

I would urge urgent consideration of this matter as our neighbour has informed us that he has Tree Timmers organised for this week and we will be left with a very pathetic sight if these trees are not thinned with discrimination.

There has been no proper discussion with our neighbour over this matter and help and consultation from Council has not been forthcoming to this time.

Yours faithfully
Colin M. Thomas

DAY PHONE
3567903

TUES - FRI.

LETTER No. 504-

RECEIVED

FILE No. 7/0734

31 JAN 1995

DIVISION

ACTION

FILE

Manawatu District Council

E

Pharawayn Dr
Teilding
30th Jan 1995

The General Manager
Manawatu District Council,
Teilding
Dear Sir,

Further to conversations with Mr Don Beard, Mrs B Blausen and various members of your staff since February 1994, I wish to make formal application for the registration and preservation of two oak trees on our property.

We have lived at the above address for 24 years and were sold by Mr Terry Bailey of 320 Kimbolton Rd at the time we moved to Teilding that the trees were in excess of 80 years old and were planted by Mr W. Sandilands.

In my view the trees are

of value to the neighbourhood,
accepting that the leaves and
acorns shed by the trees can
be a nuisance, but the
beauty of old trees such as
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coming to this time.

Yours faithfully
Colson Pectious

DAY PHONE
3567903
TUES - FRI